



Where Life is Sweet

Members of the Planning Commission

STAFF REPORT

For the Meeting of September 30, 2026

Title/Subject

Conditional Use Permit - 4N2812BB TL 417 to 423 Olin Homes OR LLC NE Emerald Dr & NE 11th St

Summary and Background

Dean Olin of Olin Homes has submitted a request for a conditional use permit for seven lots within the Diamond Run middle housing development. The land proposed for a conditional use permit is in the northwest corner of the development in the portion of the development zoned with a Neighborhood Commercial Overlay (NCO). The applicant is requesting a conditional use permit to construct seven four-plex multi-family housing buildings, five mini-storage buildings, and two parking areas for storage of RVs and boats. The NCO zoning permits these uses through the conditional use permit process. The area under consideration is approximately 1.8 acres. There are seven lots in total ranging in size from 0.48 acres to 0.23 acres. The property is owned by Home Run Land LLC.

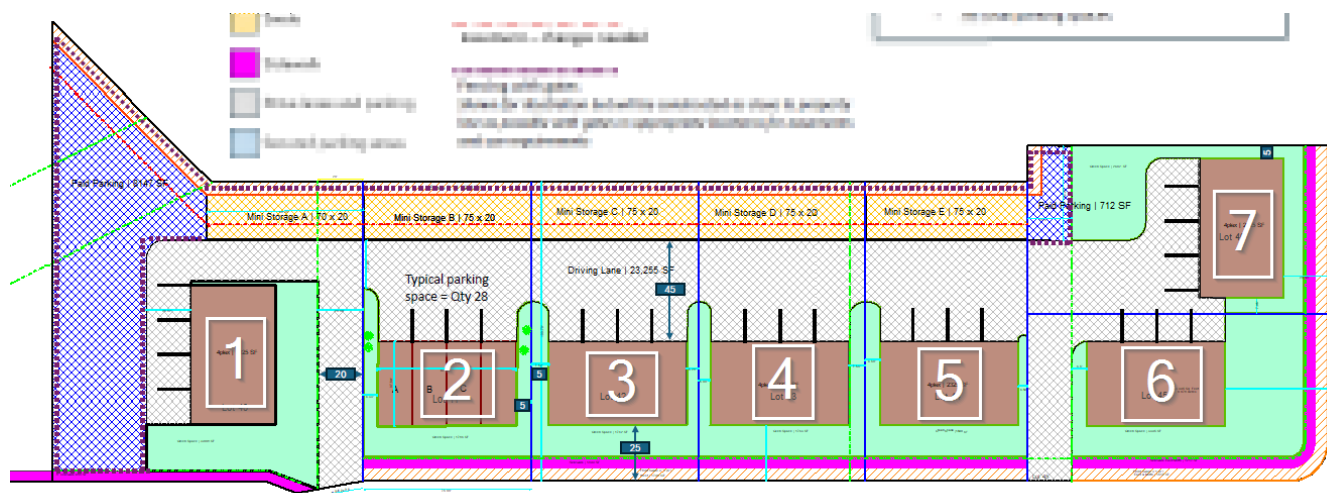
The issuance of a conditional use permit is a quasi-judicial land use action. Land use actions are deemed quasi-judicial where it is determined they have an impact on a specific site and do not have widespread and significant impact beyond the immediate area of the proposed action.

The property is described as 4N 28 12BB Tax Lots 417, 418, 419, 420, 421, 422, and 423. Twenty-eight multi-family units divided across seven lots and 33 storage units divided across five lots are all permitted conditionally in the NCO zone. Dwellings in the NCO zone are subject to two sets of development standards. New construction is subject to the NCO design standards which follow the C-2 requirements. Existing dwellings may be remodeled, rebuilt, and expanded in conformance with R-3 standards. Since the dwellings on these lots are entirely new construction the C-2 standards are applicable.

The property is currently encumbered with set of reciprocal access easements benefiting all of the NCO lots to encourage circulation and limit street access. The easements that require changing are shown in red below.

not part of this application. There are additional points of access to the north and it is not necessary for this access to extend to the north and the applicant is proposing to fence this area and use it for storage. It is necessary for these easements to be vacated and rededicated prior to any construction taking place. There are two points of access to NE Emerald Drive for this development and all units access parking from the rear, therefore it is necessary to rededicate the reciprocal easement to the south in the driving lanes for the shared parking. As of the date of this report no replat has been submitted to the city for review. As a condition of approval, staff recommends that the conditional use permit not take effect until a replat application has been submitted and approved. If an application has not been submitted within 12 months of the date of approval, the conditional use permit will become void unless an extension is approved by the planning commission as required by §157.228(B) of the Hermiston Code of Ordinances.

The proposed site plan for the multi-family units has some design deficiencies which shall be addressed prior to construction. A partial site plan is included below and annotated by planning staff to number each building 1 through 7 and detail deficiencies to address.



In the above included site plan, Building #1 (the furthest west building) does not have sufficient distance between the parking fence and the parking striping for vehicles to turn and exit the area. This issue can be resolved by rotating the building ninety degrees and orienting the garages and parking to the north. Building #6 has two parking spaces which are inaccessible, either by vehicles occupying parking in Building #7 or by the physical location of Building #7 itself. This issue can be resolved by rotating Building #7 ninety degrees and orienting the garages to the south. Rotating Building #7 90 degrees and orienting the building to the south will also remedy a deficiency in the design of Building #7 itself where two of the parking spaces for Building #7 are inaccessible due to the placement of the landscape area.

The applicant has prepared a packet of findings which are attached to this report.

The lack of replat filling and necessary design changes to the site plan make full consideration of the conditional use permit difficult. All of the necessary design changes appear to be addressable through conditions of approval. However, it is preferable to continue the hearing and require completed revisions to be submitted prior to issuing a decision. Alternately, the planning commission may also choose to deny the permit and require the applicant to resubmit. The staff recommendation is to continue the hearing and require modifications to the site plan. Issuance of a new conditional use permit is subject to the requirements of §157.208 of the Hermiston Code of Ordinances. This section provides the method and approval criteria

necessary for approving or denying a conditional use. The specific findings required by this section are:

1. The proposal is in conformance with the comprehensive plan and zoning code.
2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission.
3. Public facilities are of adequate size and quality to serve the proposed use.
4. The proposed use will prove reasonably compatible with surrounding properties.

The planning commission may impose, in addition to those standards and requirements expressly specified by the zoning code, any additional conditions they consider necessary to protect the best interests of the surrounding property or the city. These conditions may include increasing the required lot size or yard dimensions; limiting the height of buildings; controlling the location and number of off-street parking and loading spaces required; limiting the number size and location of signs; requiring screening and landscaping to protect adjacent property and any other condition deemed necessary by the commission.

It is not necessary to restate other ordinances and statutory requirements of the conditional use as part of the proceedings. The granting or denial of a conditional use will not affect the requirements of the City of Hermiston to comply with building, plumbing, and electrical codes, other ordinances, statutory or regulatory compliance issues.

Tie-In to Council Goals

1.9 Attract market rate housing developments to increase middle housing inventory

Fiscal Information

Similar multi-family developments with similar unit counts are valued between \$2 and \$3 million. It is anticipated this development will generate approximately \$25,000 in city tax revenue annually.

The mini-storage component competes with similarly valued mini-storage operations valued near \$500,000 and will generate approximately \$3,500 in city tax revenue annually.

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Approve the proposed conditional use permit with the condition that the plan be modified and approved by staff prior to issuance of building permits
- Continue the hearing and require a revised site plan to be submitted prior to reconvening
- Deny the conditional use permit application and require the applicant to resubmit a compliant site plan

Recommended Action/Motion

Staff recommends that the planning commission continue the hearing and require a revised site plan to be submitted prior to reconvening.

Submitted By:

C.F. Spencer, Planning Director